

Labor Enforcement Agencies



Where can I go if I am not paid or if I want to file a complaint against my employer?

In the case of unpaid wages, you can file an individual wage claim with The Garment Enforcement Unit at the Labor Commissioner's Office. To file a complaint and initiate an inspection at your factory for labor violations, you can file a complaint with the Bureau of Field Enforcement (BOFE) or the Federal Department of Labor (DOL).



The Wage and Hour Division - The Department of Labor

- The Division is a regional unit part of the federal government that can inspect sewing factories to enforce **federal** labor laws and ensure that employers comply with them.
- This unit enforces the federal minimum wage (\$7.25/hour), overtime pay, record keeping and other rights under the Fair Labor Standards Act.
- If you believe you are not being paid well, you can file a complaint which can then turn into an investigation. **These complaints are confidential!!**



The Garment Enforcement Unit - The Labor Commissioner's Office

- The Garment Enforcement Unit is a unit within the Labor Commissioner's Office dedicated to processing and hearing garment wage claims in California.
- This Unit **only investigates individual wage claims.**
 - Examples of wage claims: non-payment of the higher local minimum wage, non-payment of wages and overtime, piece-rate payment.
- You can file an individual claim within **3 years for violations.**



The Bureau of Field Enforcement (BOFE) - The Labor Commissioner's Office

- BOFE is a unit within the Labor Commissioner's Office responsible for conducting factory inspections to ensure compliance with **California** labor laws.
- BOFE investigates complaints and grievances from **worker groups**. BOFE **DOES NOT process individual wage claims.**
 - If you provide information to BOFE, your personal information will not be disclosed



THE LABOR COMMISSIONER'S OFFICE AND THE DEPARTMENT OF LABOR ENFORCE THE LAW REGARDLESS OF A WORKER'S IMMIGRATION STATUS.

**GARMENT
WORKER
CENTER** **CENTRO DE
TRABAJADORES
DE COSTURA**



If you have any questions about your rights or would like help filing a complaint with the agencies listed, please call us at (213)748-5866.

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What can I expect from a federal investigation with the Wage and Hour Division?	What can I expect from an investigation with BOFE?	What can I expect from an individual wage claim with The Garment Enforcement Unit?
A complaint can take <u>1 to 2 years</u> to investigate and recover your unpaid wages.	An investigation with BOFE can take <u>2 to 4 years</u> to investigate and recover your unpaid wages.	An individual wage claim can take <u>2 to 4 and a half years</u> to investigate and recover your unpaid wages.
The process may be faster, BUT the amounts you recover may be lower because the agency enforces the federal minimum wage of \$7.25 per hour.	This process may be slow BUT BOFE can enforce the City of Los Angeles minimum wage. The agency enforces the highest minimum wage, which is usually a city's minimum wage.	This process can be slow BUT The Garment Enforcement Unit can enforce the City of Los Angeles minimum wage. The agency enforces the highest minimum wage, which is usually a city's minimum wage.
These complaints are confidential . This means that an investigator will not reveal your name to your employer throughout the investigation process.	If you participate in a group complaint and provide information to BOFE, your personal information will not be disclosed during the investigation. However, your name is likely to be revealed if the case goes to a hearing.	Because this is an <u>individual</u> wage claim, your employer will know (between 6 months to 1 year) that you filed a wage claim. However, your employer cannot fire you for filing a wage claim. If you are fired for filing a wage claim, there are protections that exist to protect you from retaliation .
YOU CAN HAVE MORE THAN 1 CASE OPEN AT THE SAME TIME. If there are labor violations in your garment factory, you should file a complaint or wage claim as soon as possible. If you would like more information or would like a consultation, please call us at (213)748-5866.		